



TOWN OF BEAUX ARTS VILLAGE

PLANNING COMMISSION

MINUTES

May 13, 2004

Stefan

PRESENT: Acting Chairman Andy Stefan, Commissioners Carol Clemett, Sylvia Hobbs, Jake Donoghue.

GUESTS: Town Planner, Mona Green; Kevin Peterson

DEPUTY TOWN CLERK: Betsy Donworth

Acting Chairman Andy Stefan called the meeting to order.

MINUTES: Commissioner Hobbs moved to approve the April 22, 2004 minutes. Commissioner Clemett seconded. Motion approved.

ZONING CODE/WATER FEATURES:

Acting Chairman Stefan brought up for discussion a letter from Bob Welsh regarding dealing with water features in property setbacks. It will take time to implement changes to the zoning code regarding the definition and treatment of water features and any pending building permit applications will be ruled by the current ordinances.

The Board reviewed the definition of structure (zoning code 289, p.9). A structure, as defined in zoning code 289, would include a water feature. Discussion focused on the intent of the ordinance and whether or not a landscape or water feature was intended to be treated as a structure under 289, considering such a feature has no structural benefit. Positive aspects of a water feature include its ability to minimize noise. The consensus of the Board following their discussion was that water features are generally a positive landscape feature. The Commissioners directed Planner Green to research ordinances from other towns and see what they allow and how they have addressed this issue.

Approved 5/13/04 Planning Commission Minutes

HEIGHT/EXISTING GRADE CALCULATIONS:

Commissioner Clemett requested that the Planning Commission look into how Beaux Arts zoning ordinances deal with height and grade calculations for buildings, and carefully review how these calculations are defined. There was further discussion expressing concern that Beaux Art's method of measuring height and existing grade might not effectively deal with controlling the height of a new or remodeled building. After some discussion, Commissioners agreed that Planner Green should research how other towns have dealt with height and the establishment of existing grade in their zoning ordinances.

TREE MORATORIUM ORDINANCE:

Commissioner Hobbs reviewed the decision of the Town Council to not continue the tree cutting moratorium past 30 days, and that the issue of protecting trees on private property will not be acted on. Further clarification is needed on how the Town Council wants to deal with the issue of trees located on Town property. Commissioner Stefan indicated that the Town Council still wants the Planning Commission to look at the issue of trees on Town property. There was concern that the opinions of the Planning Commission regarding the development of an ordinance regulating trees on public and private property were not addressed by the Town Council. The Commissioners agreed that they need to have a clear mandate from the Town Council before dealing with any land use issue, and they agreed to send a memo to the Town Council requesting some direction with respect to the following issues: 1) trees on public property, 2) landscape/water features in property setbacks, and 3) height/grade calculations for structures.

NEXT MEETING:

The next meeting will be held at Dennis Casey's house on June 17, 2004.

Meeting adjourned.

Respectfully submitted,

Betsy Donworth

Deputy Town Clerk

Approved 5/13/04 Planning Commission Minutes